

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

KELVEN LEWIS #405601,

Petitioner,

Case No. 1:13CV1045

v.

Hon. Robert J. Jonker

WILLIE SMITH, Warden,

Respondent.

ORDER
APPROVING AND ADOPTING REPORT AND RECOMMENDATION

The court has reviewed the Report and Recommendation filed by the United States Magistrate Judge in this action. The Report and Recommendation was duly served on the parties on October 18, 2013. No objections have been filed pursuant to 28 U.S.C. § 636(b)(1)(C).

THEREFORE, IT IS ORDERED that the Report and Recommendation of the Magistrate Judge, filed October 18, 2013 (docket #2), is approved and adopted as the opinion of the court.

IT IS ORDERED that the habeas corpus petition is **DENIED** as barred by the one-year statute of limitations.

IT IS FURTHER ORDERED that a certificate of appealability is **DENIED**. *See Slack v. McDaniel*, 429 U.S. 473 (2000). This case is **CLOSED**.

/s/Robert J. Jonker
ROBERT J. JONKER
UNITED STATES DISTRICT JUDGE

Dated: December 11, 2013